

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	
-v-	:	20cr88 (DLC)
	:	
GABRIEL DIXON,	:	<u>ORDER</u>
Defendant.	:	
	:	
-----X	:	

DENISE COTE, District Judge:

The defendant, Gabriel Dixon, submitted a letter to the Court on April 9, 2024, seeking to challenge the Bureau of Prison's determination that he is ineligible to receive First Step Act credits when calculating his time until release from prison. For the following reasons, this request is denied.

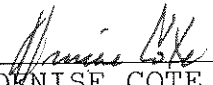
28 U.S.C. § 2241 allows a federal inmate to challenge the "execution of his sentence" after conviction, rather than the imposition of the sentence itself. Levine v. Apker, 455 F.3d 71, 79 (2d Cir. 2006). Execution of a sentence includes "matters such as . . . computation of a prisoner's sentence by prison officials." Id. (citation omitted). Under § 2241, however, an inmate must generally exhaust administrative remedies with the BOP before filing suit in federal court. See Carmona v. U.S. Bureau of Prisons 243 F.3d 629, 634 (2d Cir. 2001). If an inmate is dissatisfied by the BOP's determination at that time, he may pursue judicial review of the BOP's

decision in a petition against the warden of the facility in which he is then confined, in the judicial district in which that facility is located. See 28 U.S.C. § 2241(a). Dixon is imprisoned in Cumberland, Maryland, and accordingly any petition must be brought in the District of Maryland.

Accordingly, it is hereby

ORDERED that this motion is denied.

Dated: New York, New York
April 16, 2024



DENISE COTE
United States District Judge